

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
HECTOR JUAN FELIX,)
)
Defendant.)

CASE NO. 05-588M

DETENTION ORDER

Offense charged:

Count 1: Conspiracy to Distribute Methamphetamine, in violation of Title 21,
U.S.C., Sections 841(a)(1), 841(b)(1)(a), and 846;

Counts 2-7: Distribution of Methamphetamine, in violation of Title 21, U.S.C.,
Sections 841(a)(1) and 841(b)(1)(B) and Title 18, U.S.C., Section 2.

Date of Detention Hearing: December 13, 2005.

The Court, having conducted a contested detention hearing pursuant to Title 18
U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention
hereafter set forth, finds that no condition or combination of conditions which the defendant
can meet will reasonably assure the appearance of the defendant as required and the safety
of any other person and the community. The Government was represented by Adam Cornell

1 and John Lulejian. The defendant was represented by Peter Avenia.

2 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

3 (1) There is probable cause to believe the defendant committed the drug
4 offense. The maximum penalty is in excess of ten years. There is
5 therefore a rebuttable presumption against the defendant's release based
6 upon both dangerousness and flight risk, under Title 18 U.S.C. §
7 3142(e).

8 (2) Nothing in this record satisfactorily rebuts the presumption against
9 release for several reasons:

10 (a) Due to the nature of the instant offense and the weight of the
11 evidence, defendant is viewed as a flight risk. The charges
12 involve purchase of a kilo or more of drugs and \$25,000.00. The
13 Title III wiretaps reveals defendant's conduct in the drug
14 conspiracy. On the day of arrest defendant was in possession of
15 19 grams of "Ice".

16 (b) These new drug charges occurred while defendant was on
17 probation to Superior Court in Snohomish County.

18 (c) A search of defendant's vehicle revealed a hidden compartment
19 containing drugs and a firearm.

20 (d) The defendant's record reveals a history of non-appearance.

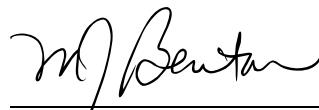
21 (e) Defendant has problems with substance abuse.

22 (3) Based upon the foregoing information, which is consistent with the
23 recommendation of U.S. Pre-trial Services, it appears that there is no
24 condition or combination of conditions that would reasonably assure
25 future Court appearances and/or the safety of other persons or the
26 community.

It is therefore ORDERED:

- (1) The defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) The defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 14th day of December, 2005.



MONICA J. BENTON
United States Magistrate Judge